

Broadmoor

Huntington Harbour



**Community
Handbook**

August 2010

TO: All Broadmoor Huntington Harbour Owners and Residents
FROM: Broadmoor Homeowners' Association Board of Directors
SUBJECT: Broadmoor Homeowners' Association *Community Handbook*

In the following pages you will find the newest edition of the the *Broadmoor Huntington Harbour Community Handbook*. It includes information about the Broadmoor which we hope you will find helpful, as well as the current Rules and Regulations of the Broadmoor Homeowners' Association. This *Handbook* supersedes the previous editions of the Handbook, issued in 1995, 1999, and 2003.

It is the responsibility of all Broadmoor residents to read, understand, and abide by these Rules and Regulations as well as the CC&Rs of the Association. All resident family members, guests, and tenants should be informed of these Rules and Regulations and their applicability to them as well. If it is necessary for the Rules and Regulations and the CC&Rs to be translated into another language to accomplish this understanding, it is the responsibility of the unit owner to do so.

The Rules and Regulations are in accord with the CC&Rs of the Broadmoor Homeowners' Association and serve to reiterate and clarify many of those CC&Rs, in an effort to make our community a pleasant place for all residents. These Rules and Regulations are intended to protect your property values as well as to promote the privacy and enjoyment of all residents of the Broadmoor.

These Rules and Regulations will be enforced by the Board of Directors of your Association. The Rules and Regulations contained here may be updated by the Board of Directors as necessary. Copies of the CC&Rs, By-Laws, Rules and Regulations as well as security keys must be transferred from homeowner to homeowner upon transfer of the property, as required by California State law.

It is the responsibility of a landlord to assure that tenants who reside in the Broadmoor community are informed of the Rules and Regulations and CC&Rs of the Association and of the need to abide by them. Homeowners are accountable for the actions of their tenants. It might be helpful for homeowners to insert in their Rental Agreement a statement to this effect: "The below-named persons agree to read, understand and abide by the CC&Rs and Rules and Regulations of the Broadmoor Homeowners' Association (copies attached)."

Further clarification of applicable rules can be found in the CC&Rs of the Association. We encourage your attendance and participation at the monthly Board meetings to keep abreast of current issues within your community. We also encourage you to volunteer to help on a committee of the Board.

The names of the current members of the Board of Directors are published each month in the Broadmoor Newsletter.

Neither the Association, the Board of Directors, the Management Company, nor any of their employees or contractors are qualified to provide you with legal advice on any of the matters in this Handbook nor any other matter, and you should not consider this information to be legal advice. If you need legal advice, you should consult with your personal attorney. If the information here is inconsistent in any way with the CC&Rs, the CC&Rs shall prevail.

IMPORTANT INFORMATION

Management Company:

Powerstone Property Management
9060 Irvine Center Drive, Suite #200
Irvine, CA 92618

All maintenance/repair requests

Write or call PowerStone..... phone: (949) 716-3998 fax: (949) 716-3999

Association Emergencies

After-hours Answering Service(800) 408-2242

Community Association Manager:

Amanda Porter (949)535-4496 aporter@powerstonepm.com

Customer Service:

Sylvia Mandujano (949)535-4514 smandujano@powerstonepm.com

Escrow Contact:

Rita Brantley (949) 535-4521 rbrantley@powerstonepm.com

Cable TV: Time Warner (714) 903-4000
(Basic Cable is paid by the Association)

Communication with board members

Written letter to PowerStone Property Management c/o Amanda Porter.

Gatehouse.....(562) 592-4213

Harbor Patrol(714) 840-5222
(Complaints of boat speeding, unlawful boarding, boat parties)

Huntington Beach Police Department

Front desk (Noise Complaints, etc.)(714) 960-8843

Parking Control(714) 960-8811-#1

Emergency (police, fire, medical) 911

Refuse Pick Up: Rainbow Disposal.....(714) 847-3581
(Homeowner Responsibility)

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Architectural Control

You must obtain Architectural approval for any change in the exterior of your unit, any structural alterations to the interior, and plumbing or electrical alterations within any bearing wall. Most architectural provisions are included in Article VII of the CC&Rs. See also Article VIII, Sections 5, 15, 16, and 23. Here are a few of the most important provisions from the CC&Rs:

BEFORE any of the following changes are made, the unit owner must apply for and receive the written approval of the Association's Architectural Committee:

Changes to the exterior of any unit (including painting, landscaping, or additions of fences, walls, buildings, signs, or other structures) (*Article VII, Section 1*)

Structural alterations to the interior of any unit (*Article VIII, Section 23*)

Plumbing or electrical alterations within any bearing wall of a condominium (*Article VIII, Section 23*)

A penalty of \$300.00 will be imposed for architectural violations, including but not limited to, making any unapproved alteration.

Review of proposed plans is based on many considerations, including (but not limited to) the following (*Article VII, Section 1*):

- < conformity and harmony of external design with neighboring structures
- < effect of location and use of improvements . . . on neighboring property
- < preservation of view and aesthetic beauty with respect to fences, walls and landscaping

Several types of alterations are strictly prohibited in the CC&Rs:

- < Exterior projections of any type (*Article VIII, Section 5*)
- < Aluminum foil, or similar material, either inside or outside of any window (*Article VIII, Section 15*)
- < Any structure or planting which interferes with the established drainage system (*Article VIII, Section 16*)
- < Glass, screens, or any other material to enclose a balcony (*Supplementary CC&Rs, 8/18/78 and 9/7/78, Section 14*)

Forms that you may use to apply for architectural approval are available at the Gatehouse. The precise requirements for your applications are spelled out in Article VII, Section 1, of the CC&Rs and in the following section, "Architectural Review Procedures."

Architectural Review Procedures



In 2003, the Architectural Committee completed work on revised procedures which will help owners better understand what to do when they wish to remodel, repair, or upgrade their homes at the Broadmoor. These procedures were approved by the Board June 11, 2003.

Modification approval process

1. The Owner of the Condo obtains a Broadmoor Huntington Harbour *Home Modification Application* from the Guard House.
2. Using an architect*, the owner prepares a plan with detailed drawings of the modification. (*If the Owner has the skill and know-how to plan the project and prepare the drawings, this will be acceptable to the Architectural Committee.)
3. The Owner discusses the project with owners on both sides and above and below (as applicable) and requests their concurrence. (NOTE: No one has an absolute veto power over a neighbor's project. However,

- the neighbors should be given an opportunity to raise substantive concerns so they can be considered by the Architectural Committee.)
4. The Owner obtains all required permits from the City of Huntington Beach and any other applicable jurisdictions.
 5. The completed *Home Modification Application* form (with drawings and approval number from the City) is turned in to the Guard House. The Guard will notify the Architectural Committee Chairperson of receipt of the application.
 6. The application will be picked up and reviewed by the Architectural Committee at the Committee's earliest convenience. Determination will be made of the necessity of an on-site review and, if necessary, by whom it will be conducted. If the application is incomplete, the form will be sent to the Management Company for return to the applicant with a request for the missing information.
 7. The Architectural Committee will, as appropriate, recommend approval or disapproval to the Association Board.
 8. A copy of the form with preliminary finding will be sent to the Management Company for Notification to the Owner of approval or disapproval and a notice of Owner responsibility, if approved.
 9. If approved, the Owner may immediately begin the modification.
 10. When the project is finished the Owner will notify the Architectural Committee Chairperson so the project can be inspected and final signatures appended to the form. Copies of inspection reports from the City (if any) should be attached to the completed form for Association records.

Management Company notification

11. The Chairperson of the Architectural Committee will mail/fax the final form with all approvals to the Management Company.

Formal notification to owner and notice of owner responsibilities

12. The Management Company will send a letter of receipt of the "final" Home Modification Application for the project to the Owner reminding him/her of their responsibility for the addition/modification to their Condo and of their responsibility for transferring this document to the new Owner, should the property be sold.
13. Copies of all forms will be kept in Association files.

Association Committees



The Association may maintain committees to assist and advise the Board in conducting the business of the Association. The Board encourages all owners to participate on these committees. We are all volunteers, including the Board members. Everyone benefits from greater involvement of homeowners in the day-to-day business of the Association.

Each of the current committees is chaired by a member of the Board or an owner or resident invited by the Board to chair a standing committee. The existing committees are listed below. If you believe additional committees are needed, please let the Board know, either in writing or by attending the next monthly meeting of the Board. Every committee needs volunteers. Please get involved and help us work to make this the best community it can be.

Architectural Committee: Recommends architectural policy to the Board, reviews member applications for exterior changes, deletions or additions, acts as a watchdog to ensure architectural compliance with the governing documents.

Buildings and Grounds: Work with the Management Company representative to periodically inspect the community grounds, assist management in supervision of sub-contractors, propose improvements to the common areas and consider special problems or issues at the request of the Board.

Finance: Work closely with the Treasurer to review the Association's monthly finances and recommend the type of accounts best suited for the Association's general funds, work with the Management Company to propose an annual operating budget for the Board's review, participate in other financial affairs as directed by the Board.

Landscaping: Maintain liaison between landscapers and the Board. Make recommendations for future activities,

priorities for landscaping for the complex.

Newsletter: Write, edit copy for the Association's monthly newsletter.

Rules and Regulations: Oversee development of rules and regulations for the complex, makes proposals to the board for rules and regulations, fines, enforcement procedures.

Security and Parking: Recommend rules concerning parking, etc. Oversee enforcement at the direction of and with the consent of the Board.

Social: Plan social activities for the complex, including the community garage sale.

Authority and Enforcement

Following is a *partial* list of the authority included in the CC&Rs for the Rules and Regulations provided here.

Article IV, Section 2 gives the Association various rights, including (but not limited to):

(c) the right to suspend the "use or enjoyment rights to recreational or social facilities within the Recreation Area of any Member for any period during which any Assessment against his Condominium remains unpaid and delinquent, and for a period not to exceed thirty (30) days for any infraction of the Association Rules. . ."

(e) the right "to establish and enforce reasonable rules and regulations pertaining to the use and enjoyment of the Recreation Area and the facilities thereon. . ."

(f) the right "to limit the number of guests of Members and to limit the use of the Recreation Area by persons not in possession of a Condominium, but owning a portion of the interest in a Condominium required for membership. . ."

Article IV, Section 4 gives the Association various rights, including (but not limited to):

(c)(iv) the right "to establish and enforce reasonable rules and regulations pertaining to the use and enjoyment of the Street Area including, without limitation, parking thereon. . ."

Article VIII includes various General Restrictions, which include (but are not limited to):

Section 2. "Neither Broadmoor Huntington Harbour, nor any portion thereof, shall be used for any purpose tending to injury the reputation thereof, or to disturb the neighborhood or occupants of adjoining property, or to constitute a nuisance, or in violation of any public law, ordinance or regulation in any way applicable thereto."

Section 3. "None of the Lots or Condominiums shall be used or caused to be used or allowed or authorized in any way, directly or indirectly, for any business, commercial, manufacturing, mercantile, storing, vending or other such nonresidential purposes."

Article IX, Section 4. gives the Association the power to adopt, amend and repeal Association rules. The Association Rules shall govern such matters. . . as the Board shall deem appropriate, including, without limitation, the use and enjoyment of the Recreation Area and facilities thereon. . . ."

Balconies, Patios, and Decks

IMPORTANT NEWS REGARDING OPEN-FLAME COOKING DEVICES: The Orange County Fire Authority has imposed restrictions on open-flame cooking devices. The new code restricts the use of open-flame devices, including barbecues of all types, on balconies where there are no exterior building sprinklers. Landscape sprinklers do not meet the safety criteria required by this code. The new code also restricts the use of Liquefied Petroleum Gas type BBQ's. Charcoal burners and other open-flame cooking devices shall not be operated on balconies, patios or decks or within ten (10) feet of combustible construction. Additionally, LP-gas burners having an LP-gas container with a water capacity greater than 2.5 pounds [nominal 1-pound LP-gas

capacity] shall not be located on any combustible deck, patio, or entry area, or within ten (10) feet of combustible construction. The City of Huntington Beach Fire Department cautions that during any fire investigation, if it is determined to be caused by any of the above mentioned conditions, insurance companies may choose to refuse any claims for damages. For further information, you are welcome to review California Fire Code 308.31 and 308.3.1.1. You can also contact the City of Huntington Beach Fire Prevention Division at (714) 536-5411.

Outdoor cooking devices may not be used in the common area.

Please use only appropriate outdoor furnishings on balconies, patios, and decks. No personal items may be mounted outside the interior walls of decks and balconies. No decorative items may be strung on balcony railings, such as decorative lighting.

Holiday decor must be removed within thirty (30) days of the holiday.

Some residents understandably want to place liners on balconies, patios, and decks to protect children and pets. However, some residents have not followed the guidelines for installation or have materials that are not approved. All units must be in compliance with all of the Broadmoor policies, as these areas are highly visible to other residents:

- T Use clear Plexiglas only.
- T Plexiglas panels must be cut to fit the iron railing. The panel cannot exceed the height of the railing and must be installed on the interior of the railing.
- T Secure the Plexiglas with black tie straps only and cut any excess or tails.
- T Panels and straps are available at Home Depot, and they will assist in cutting the material.
- T Plexiglas only! Materials NOT permitted include screening material, chicken wire, wood, or PVC lattice.

Potted plants may not sit directly on wood, stucco or decking surfaces maintained by the Association. Please elevate pots and plants by using decorative items or holders found at your local home improvement center or nursery. Moisture trapped between the pots and surface will accelerate deterioration. Use of a saucer or liner is required so that water does not drain onto these surfaces. Damages may be assessed to the property owner.



Bicycles

Bicycle riding is permitted on the roadways, but **not** the walkways. Bicycle riders must adhere to all traffic regulations that apply on the city streets of Huntington Beach. For example, bicycle riders must ride on the right side of the road, must stop at all stop signs, must yield to pedestrians, and must obey all speed limits. State law requires that **all** persons under 18 must wear an approved helmet at **all** times when riding a bicycle; this law applies inside the Broadmoor complex.

No bicycles are to be locked or stored in common areas or outside any unit. They must be stored in the garage or inside the unit of the owner.

Bicycle-riding, skateboarding, and rollerblading are banned at **all** times and under **all** circumstances from the tennis courts, the pool-spa area, the lagoon and its perimeter, walkways, benches, steps, and the docks.

Motorized scooters and motorized bikes are limited to ingress and egress and may never be ridden on the sidewalks at the complex.

Bicycle registration: The City of Huntington Beach requires that all bicycles owned by City residents must be registered with the Police Department. If your bike is lost or stolen, the registration stickers make it possible for the Police to return the bike to its rightful owner if it is ever found. On busy holiday weekends, the Police Department sometimes announces that all unregistered bikes will be confiscated.

To register your bike, go to the Traffic Department on the First Floor of Police Headquarters at the Civic Center, 2000 Main Street (Main and Yorktown). The Traffic Department is open from 8-5, Monday-Thursday. You are not required to take the bike in, but you will need the following information to complete the form: serial number, bicycle manufacturer, model, type, wheel size, frame size. If you can't get to the Traffic Department during business hours, stop at the Main Desk after hours and ask for the bike registration form. You can mail it in with your check.

Building Permits

Many Broadmoor owners who are upgrading, repairing, or remodeling their units are confused about when they need to obtain construction permits from the City of Huntington Beach. We visited the Department of Community Development at City Hall to ask them what condo owners should know about construction permits. Here is some of the information they provided:

When do I need a construction permit?

The City requires that you obtain a building, plumbing, mechanical and/or electrical permit for any work that “physically changes or adds structures to your property.” This work includes (but is not limited to) “improvements or alterations to a building or structure” and “electrical, plumbing, or heating installations or alterations.”

Why do I need a construction permit?

According to the City, the purpose of the various permits is to control the type of construction and the use of property in Huntington Beach. Regulations have been enacted by the State of California and the City Council to protect health, general welfare, and your investment in your property. The evidence of a building permit is often necessary to obtain financing from lending agencies. Fire and liability insurance damages may not be paid in some cases where permits were not obtained and improvements do not meet regulations.

How much does the construction permit cost?

There is no single fee for the various permits. Fees depend on the valuation of your project and the number of plumbing, mechanical and electrical systems. The building plan check fee is collected when plans for the structure are submitted. The permit fee is collected at the time the building permit is issued.

How soon can I get a permit?

Non-engineered minor projects can be plan checked over the counter at City Hall or within 5 working days. Major projects may take as long as 15 working days.

What is plan checking?

The city checks plans prior to issuance of a construction permit to assure you that your plans meet the Uniform Codes and City Ordinances. Major projects and projects that require engineered calculations must be submitted to the City for careful review. Very minor projects may be reviewed over the counter if time permits.

Does the city need to inspect my project?

Inspections are required in many cases. Ask about inspections when you first take in your plans.

Where can I get more information and application forms?

Forms and a variety of helpful booklets can be obtained at the Department of Community



Development, located on the third floor of City Hall at 2000 Main Street (Main and Yorktown). The phone number for questions on permits and fees is (714) 536-5241. Counter clerks are available in the Department to answer your questions in person from 8:00 a.m. to 5:00 p.m. The Department also has free information from the State Department of Consumer Affairs that might be helpful to you, e.g., "A Consumer's Guide to Hiring an Architect" and "What You Should Know Before You Hire a Contractor."

What happens if I do not obtain required building permits from the City?

According to the City, any person who believes that work is being done without required permits can report the problem to the City, who will send out an inspector to stop the project and assess applicable fines. When you try to sell your unit, the state requires you to disclose to prospective buyers that you made alterations without necessary permits. This could make it difficult for you to sell your unit or for prospective buyers to obtain a loan to purchase your unit. The Association also has authority to fine you for any activity at the Broadmoor in violation of city, state, or federal law and take appropriate corrective action.

If I obtain building permits, do I still need review from the Association's Architectural Committee?

The City's requirements for building permits are separate from the Association's requirements for architectural review. For many projects, you will need both. The CC&Rs require that you obtain written approval from the Broadmoor Architectural Committee whenever you make an alteration in the exterior of your unit, make structural alterations to the interior of your unit, or make plumbing or electrical alterations within any bearing wall of your unit. (*Articles VII and VIII, Section 23*) The Association does NOT review or warranty engineering plans. (*Article VII, Section 5*) The Association reviews your plans for conformity and harmony of the external design with neighboring structures, the effect on neighboring property, and other factors.

Why does the Architectural committee review structural alterations to the interior of my unit?

Structural changes can affect the integrity of the entire building, not just your unit. The Association has a right to insist that structural changes you want to make do not endanger your neighbors.

Children



Persons under 14 years of age are considered children by law and should have adult supervision at all times. In violation of the above, persons can be subject to police contact per California Welfare and Institutions Code 300 A.B.C. & D.

No bicycles or wheeled toys are to be left outside unattended. No playing in trees, shrubs, flowers, or around the lagoon or parking areas is permitted at any time. Climbing on the common area fences, gates, and buildings is prohibited.

No children under 14 may enter the dock areas, beach, pool, or spa without adult supervision. Parents should be mindful of the danger of drowning in these areas, as well as around the lagoon. No lifeguards are on duty anywhere in the complex.

Communication with the Board of Directors

Questions, concerns or ideas must be forwarded in writing to the Board of Directors, in care of PowerStone Property Management. Communication can be sent via email or in writing via mail or facsimile.

If management is unable to address the correspondence, the communication will be reviewed at a monthly Board meeting.

Managing agent will provide copies of the correspondence to the Board of Directors in the monthly board packet.

If the matter is urgent, it will be forwarded to the Board via email for further direction.

Inquiries personally received by Board members should be handled in accordance with this Communications Policy. Communications issued by individual Board members do not necessarily reflect the opinions or decisions of the Board of Directors. Questions, concerns or ideas received second hand and/or verbally communicated may not be addressed by the Board.

Compliance Policy and Fine Structure

1. Basic Policy on Fines:

The objective of this Compliance Policy shall be to promote and seek voluntary compliance by all residents with the Broadmoor Huntington Harbour Community Association's Declaration of Covenants, Conditions and Restrictions and Reservation of Easements ("CC&Rs"), Bylaws, Architectural Guidelines and Standards, and Rules and Regulations, all as amended and supplemented (collectively, "Governing Documents").

Accordingly, as discussed in more detail below, in the event that the Association becomes aware of an architectural or property use infraction that warrants an Association response, the Owner responsible for the violation shall receive written notice thereof and shall be given a reasonable opportunity to comply voluntarily with the pertinent provision(s) of the Governing Documents. Such notice shall describe the noncomplying condition and request that the Owner corrects the condition within a reasonable time specified in the notice. If the courtesy notice does not bring about voluntary compliance, the Association may encourage the Owner's compliance through the use of such remedies as are deemed appropriate by the Board of Directors and available in law or in equity, including but not limited to, the imposition of fines and monetary penalties subject to the notice and hearing conditions set forth in this Policy, and/or the pursuit of arbitration or legal action.

2. Initial Violation Notice:

Reports of alleged violations of the Association's Governing Documents and/or Community Handbook may be made to the Association's Management Company by any Owner, including any Owner serving on the Board or an Association committee. Such a report shall constitute a "complaint" and must be in writing. The complaint should clearly state the facts and circumstances regarding the alleged violation. Action may also be taken as a result of an oral report (presented by telephone or in person), and under such circumstances, appropriate file documentation concerning the complaint shall be generated and maintained for future reference. Management shall send an initial violation notice, requesting the Owner's voluntary cooperation.

3. Notice of Hearing:

If the violation notice is unsuccessful in remedying the noted violation, a Notice of Hearing may be issued to the Owner. The Board may impose a fine, which shall not become effective until the Owner is offered an opportunity to be heard on the matter. The Notice of Hearing shall contain the following information:

(A) A Brief description of the alleged violation and, in the event the correction of the alleged violation requires actions such as the installation, removal, repair, replacement, reconstruction, or maintenance of improvements, the date by which such violation is to be corrected by the Owner;

(B) The disciplinary and/or corrective action and/or penalties, such as the levying of a fine which has been imposed in accordance with the Fine Schedule set forth below;

The decision of whether it is appropriate or necessary for the Association to initiate enforcement or disciplinary action in any particular instance beyond the fining process shall be within the sole discretion of the Board of Directors.

4. Alternative Dispute Resolution ("ADR"):

The Association shall comply with the provisions of California Civil Code Section 1354(b) and the arbitration requirements of the Governing Documents, before bringing any civil action or suit to enforce the Association's Governing Documents.

FINE SCHEDULE

TYPE OF VIOLATION	FIRST OFFENSE	NONCOMPLIANCE FOLLOWING COURTESY LETTER	CONTINUING NONCOMPLIANCE
Failure to comply with, or violation of the Governing Documents and/or Community Handbook.	Notice of Violation.	Notice of hearing with possible \$100.00 fine and invitation to hearing. Architectural fines - \$300.00 with an invitation to hearing.	Continuing noncompliance will result in further fines, with invitations to subsequent hearing and \$100.00 for each month the violation continues. Architectural fines are \$300.00 with invitations to subsequent hearings. Alternatively, or in addition to fines, the Association may proceed with legal action or an alternative dispute resolution, as appropriate.

Monetary penalties imposed by the Association for failure of an Owner to comply with the Governing Documents may not be characterized nor treated as an assessment which may become a lien against the Owner's Lot enforceable by a sale of the Lot in foreclosure, provided that this limitation on the Association's lien rights shall not apply to charges for late fees, interest, and costs of collection of delinquent assessments (including attorneys' fees) pursuant to Civil Code Section 1366.

Conflict-of-Interest Policy

It is essential that the owners have confidence in the integrity of the Board of Directors to manage Association business in a manner which is scrupulously fair and always in the best interest of the Association. The By-Laws of the Association (*Article VII-Section 4*) prohibit Board members from receiving any compensation during their time in office (although reimbursement for actual, out-of-pocket expenses is permitted).

The following Policy was approved by the Board on April 13, 1995 and was originally published in the May 1995 Newsletter:

(a) Through the entire term of office as a member of the Board of Directors, each Director shall be prohibited from receiving any compensation, remuneration, or income of any kind from Association funds, either as an employee, contractor, or subcontractor paid with Association funds.

(b) Each Director shall be prohibited from accepting any gifts, gratuities, or other items of value from any employee, contractor, or subcontractor of the Association.

(c) The prohibitions in (a) and (b) shall extend in perpetuity to any employment decision or contract awarded during the term of service of the Board member for as long as the contract continues. (For example: for a contract awarded during 1995, the members of the Board in 1995 are barred from receiving any income from that contract for as long as that contract continues into future years.)

(d) All Board members are under an affirmative obligation to disclose to the entire Board any relationship with a

prospective contractor or employee which might present a conflict of interest or the appearance of a conflict. (For example, if a prospective contractor or employee is a personal friend or business associate of a board member, that possible conflict must be disclosed to the entire Board before any action is taken by the Board.)

(e) All prospective contractors and employees must disclose whether any owner at the Broadmoor has a financial interest in that firm or stands to benefit financially (as an individual) from Association funds if the contract is awarded to that prospective contractor or employee.

(f) Broadmoor owners or residents who are not members of the Board are not prohibited from bidding for contracts or applying for employment, but their status as owners or residents must be disclosed in their bid or application.

(g) Directors *may* be reimbursed for actual out-of-pocket expenses for the benefit of the Association, if approved in advance, and upon submission of original receipts and an explanation of the expenses. These expenses might include, e.g., Xeroxing of the annual report.

Contracting Policies

The Association Board follows several important policies on contracting to ensure sound decision-making in the expenditure of Association funds. For example:

Competitive contracting: It is Association policy that all contracts shall be competitively bid, whether we are seeking new contractors or renewing existing contracts. The Board retains the authority to waive this policy, on a case-by-case basis. But the Association has adopted a strong presumption in favor of competitive bidding to ensure the best price and service available.

Open contracting: The Association is not restricted to considering contractors who have previously done work for this Association and/or our Management Company. The Association has pursued suggestions from many of you for contractors recommended by other homeowner associations. Our management representative also checks with the property managers of neighboring communities (e.g., Leisure World-Seal Beach) for recommendations for contractors who provide good service at good prices.

Conflict-of-interest: The Board has adopted a strict conflict-of-interest policy to ensure that all Board decisions are scrupulously fair and always in the best interest of the Association. (The full text can be found under "Conflict-of-Interest Policy.")

Board oversight and accountability: The Board has adopted a policy that all contracts must be approved by a majority vote of the entire board at a duly called Board meeting. Contracts may be discussed in Executive Session. No individual board member has been delegated the authority to enter into contracts in the name of the Association. This policy ensures that accountability with Association funds is built into our decision-making to the greatest extent possible. To implement this policy of "checks-and-balances," the Board often confers in emergency sessions to approve contracts which cannot wait until the next monthly Board meeting, with decisions ratified at the regular meetings.

Docks and Beaches



All residents are reminded that the water areas present a constant danger of drowning. Children under 14 must be supervised at all times by an adult. No lifeguard is on duty on the docks or beaches or any other area of the Broadmoor complex.

All Dock surfaces are very slippery. Enter at your own risk. There is no insurance for pedestrians. Bicycle riding, rollerblading, skateboarding, fishing, alcohol, glass containers, and dogs are strictly prohibited at all times on the docks. No trespassing on private property

including all private boats, kayaks, residential property, including private ramps.

Ownership of the beach at the end of Grimaud Lane was confirmed in 2009. This beach belongs to Broadmoor Huntington Harbour. For your safety and enjoyment, please observe the following: No dogs, glass containers, alcohol, fires, camping, vehicles or boat launching. Beach hours are 6:00 a.m. to 10:00 p.m.

Residents departing on early morning boat trips are reminded that their neighbors are sleeping -- or trying to. Please postpone your fun, games, and especially your noise until you are out to sea.

If you have workers servicing your boat, please ask them to park in the Peter's Landing parking area. The Association has a chronic shortage of guest parking spots, especially on the eastern side of the complex near the docks.

CC&R provisions governing the Boat Dock Area can be found in Article XVII.

Dumpsters

The Association maintains two dumpsters to better accomplish the Association's maintenance and landscaping functions. The dumpsters save many hours of labor each week which would have been spent driving trash to city dumps.

Some homeowners have requested that a dumpster be installed for use by individual residents. After careful consideration of this request, the Board determined that the dumpsters are limited to Association functions and that they will be locked. Unrestricted access to the dumpsters could cause serious health and safety problems. If all residents had unrestricted access, the dumpster would attract garbage, mess, spills, rodents, vermin and assorted other undesirables, especially for those units closest to the dumpsters. Given a choice, some residents are likely to bring their most unpleasant garbage to the dumpster and create problems for everyone.

Your neighbors respectfully request that **no one** leave trash of any kind outside the dumpsters on the ground. Such behavior is rude and thoughtless. Perpetrators will be fined for any violations of this policy.

Fireplaces

Each owner is responsible for the repair and maintenance of the fireplaces in your unit, including the "firebox" (the area where the logs are placed) and the interior surfaces, from the floor to the top of the entire fireplace. (*CC&Rs, Article I, Section 10(d)*)

How often your fireplace needs cleaning depends on how often you use it and the type of wood you use. If you burn wood heavy with sap (such as pine), you will need to have the chimney cleaned more often. Creosote deposits can cause fire inside the chimney and create a serious safety hazard for the entire building.

In cold climates, where fireplaces are used regularly during the winter, annual cleanings are recommended. If you only use yours a few times each year, cleanings with less frequency might be sufficient. If you are not sure, ask a professional chimney sweep. Licensed, bonded, and insured chimney sweeps are listed in the telephone book. The homeowner is responsible for any damage caused by your chimney sweep (such as broken roof tiles), so make sure they are licensed, bonded, and insured to protect you against liability.

Home maintenance and repair books typically include advice on fireplaces. Here are a few tips we found:

- T Close the damper when you are not using the fireplace to prevent loss of furnace heat in chilly weather. Otherwise, up to 40% of your heat goes out of the chimney.
- T The damper must seal tightly, when the fireplace is not in use, or you'll lose heated house air. If yours won't close securely, check the hinges and handle. Also check for debris around the edges that might block the seal.

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- T The firebox is lined with high-temperature bricks. If any of the bricks are broken or loose, or if the mortar joints have deteriorated, they create a serious safety hazard and should be repaired by a professional before the fireplace is used.
- T Keep the grate at the rear of the firebox, directly under the flue.
- T NEVER burn paper or rubbish in the fireplace.
- T Use three logs -- two on the bottom, one on top -- to help create the proper updraft for a good fire.
- T If you have trouble starting a fire, check the air supply. Fireplaces need a lot of air. Crack open a window. Turn off exhaust fans in bathrooms and the kitchen. Make sure the damper is fully open.

Fireworks

All private fireworks are prohibited by the City of Huntington Beach, which includes the Broadmoor. Please be considerate of the safety of your neighbors and comply with this City prohibition.

General Conduct

Peaceful Enjoyment: All homeowners and residents have the right to peaceful enjoyment of their respective properties and the common area. Any activity which is considered a violation of the right to peaceful enjoyment will be considered a violation of the Rules and Regulations and will be subject to the same grievance and penalty assessment procedures.

Conduct, including but not limited to the following, will be considered interference with the right to peaceful enjoyment:

- T Excessive noise from any residence at any time which disturbs neighboring resident(s) including dog barking, loud speakers, party noise, etc.
- T Disorderly conduct in the common area
- T Loud or offensive language
- T Activity which endangers life or property

A 10:00 p.m. to 7:00 a.m. quiet time shall be observed by all residents and guests in consideration of their neighbors' right to peaceful enjoyment of their property.

Anyone causing a general nuisance within the Broadmoor will be subject to fine.

Personal property, including toys, must be removed from common areas when not in use.

Garage doors are to remain closed except for entrance, exit, and short time periods when activities necessitate their being open. (*Article VIII, Section 7*)

No resident or guest shall cook, barbecue, or engage in similar activities within the common area without the written permission of the Board.

The discharge or placement of any dirt, trash, yard trimmings or noxious chemicals into common streets or areas is prohibited.

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No clotheslines, trash containers, or storage areas shall be maintained in a location visible from common areas of other units. Accumulation of building material within a lot or common areas is not permitted.

Towels, rugs, wet suits, swimwear, laundry, and similar material must not be hung on balconies or railings.

Garage sales or similar sales are prohibited with the exception of the annual community sale scheduled by the Board.

Door-to-door solicitation is prohibited. No person shall be allowed to post advertising literature on garages, mailboxes, doors, gates, or any other common area. Penalties can be assessed by the Board for violation of these prohibitions.

Residents and guests are required to close and lock all pool and common area gates so as to prevent strangers access to our community. Security keys are not to be duplicated or given to any non-residents.

For additional restrictions, see especially Article VIII.

Homeowners' Assessments

Please mail your monthly assessment check so it is received by the 30th of the month. The Board receives numerous requests to waive the late fee from owners with "a good excuse." The problem is that almost everyone who is late has "a good excuse." If the Board honored all of these "good" reasons, the Association's cash management would collapse.

The monthly statement is a courtesy reminder of your obligations to the Association as an owner. You remain obligated to pay your assessment whether or not the statement is actually received. If you do not receive your statement at the expected time and are unsure of what you owe, please call the Management Company.

It is tempting to compare our monthly homeowners' assessments with those at other complexes. Please remember that many, many variables affect those assessments -- the age and size of the complex, the type of construction, amenities, security guards, landscaping, proximity to the ocean, etc., etc. Some complexes defer maintenance or under fund reserves to keep fees artificially low -- a practice that will catch up with them eventually.

Insurance

Master Policy: Due to the number of claims filed against the master policy, coverage for the interior of all units has been excluded from the master insurance policy for the Association and the deductible has been increased to **\$10,000.00**. This change occurred June 1, 2002, and was publicized in the Broadmoor newsletter and individual mailings from the insurance company to owners. If these changes had not been implemented, the Association ran the risk of losing coverage altogether and/or being classified as a "high risk" community, which results in higher costs for all owners through the monthly assessment, as the annual premium would have increased.

Master Policy Deductible: Payment of the deductible is the responsibility of the person(s) filing the claim. If a claim is filed by the Board, the Association will pay the deductible.

Property Damage Reimbursement Policy: It is the policy of the Broadmoor Huntington Harbour Community Association that any damage to personal property and fixtures, including but not limited to floor coverings, wall coverings, cabinetry and plumbing fixtures, caused by the failure of a component for which the Association bears the maintenance, repair and replacement responsibility, including but not limited to water pipes, be compensated to the owner of the damaged fixture in an amount equal to the least of (a) the diminution in value of the damages fixture, (b) the cost to repair the damaged fixture, or (c) the cost to replace the damaged fixture with a "standard" (i.e., not upgraded) quality fixture of the type typically found in new home communities in Orange County.

It is each owner's responsibility to carry casualty insurance in an amount sufficient to repair or replace damaged or destroyed personal property and upgraded fixtures located in the owner's residence.

This Property Damage Reimbursement Policy was adopted by the Board of Directors on June 8, 2004. It was published in the Broadmoor newsletter in July 2004 and mailed individually to all unit owners in August 2004.

Individual Unit Policies: Homeowners are encouraged to evaluate personal policies or obtain coverage if you do not already have it. You may purchase a Condominium Unit Owner's Policy or Landlord's Policy to cover the interior of your unit. It is recommended that you include enough in Building Additions and Alterations coverage to replace the entire interior of your unit, including cabinets, fixtures, appliances, wall coverings, carpet or floor coverings, window coverings and anything else that has been installed or acquired by you. You are not required to carry your individual insurance with the same firm that carries the master policy.

Flood Insurance: The Association does not carry flood insurance for the complex. Some individual units might be required to carry it if they are in a designated flood zone. All unit owners are encouraged to consider carrying flood insurance, which is available from the Federal government at very reasonable cost. Please consult your insurance agent for further information.

Earthquake insurance: For several years after the 1994 Northridge quake, the Association extensively explored options for Association earthquake insurance. Although we found some carriers willing to provide limited coverage, with very high deductibles, a formal ballot of owners voted against purchasing any of the insurance, due to prohibitively high costs. Individual owners are encouraged to purchase condominium earthquake insurance on their own units from the California Earthquake Authority, by contacting their own insurance agents.

Janitorial Services

The Association pays a janitorial service for essential cleaning at the pool house. But no one is paid to pick up litter, sweep sidewalks, or clean the entries to individual units. Every Broadmoor resident can help us keep the complex looking beautiful.

- T If you see litter on the grounds, please pick it up and dispose of it properly.
- T Keep your own balconies, decks, and patios clean and well-kept. Your neighbors can see these areas too.
- T If you think the sidewalk and steps in front of your unit need sweeping, please pick up a broom and sweep!
- T If your neighbors forgot to stop their newspaper delivery when they went away for vacation, stack them neatly until they return.
- T If you will be out of town on trash day, please ask a neighbor to put out your trash the night before and bring in your trash cans after they are emptied. Leaving your trash out for days at a time is an eyesore for your neighbors.
- T If you have pets, please, please, please clean up after them at all times.

Lagoon



The lagoon is one of the most beautiful features at the Broadmoor -- but it also presents many potential dangers to residents and visitors, especially young children. The CC&Rs prohibit swimming at any time by anyone in the lagoon. (See Article IX, Section 8) The Board adopted additional rules on July 13, 1995, to minimize the risk of drowning and other hazards.

NO swimming, boating, fishing, wading, canoeing, scuba diving or similar activity is permitted in the lagoon at any time, except for the maintenance of the lagoon and its equipment by professional staff. The water quality is not maintained for swimming by humans, and the surfaces of the lagoon are slippery and dangerous.

Children under 16 must never be allowed to play around the lagoon or to walk around the lagoon, except under the supervision of an adult. Parents are reminded that there are no guards at the lagoon (or pool or spa) and that drowning is a constant danger for young children. Parents should also remember that there are no protective fences around the lagoon to prevent children from wading or falling into the lagoon.

Do not feed the ducks. Do not place any food around the lagoon for the ducks, as it attracts rodents and vermin. Please do not chase or taunt the ducks.

Dogs must be on a leash around the lagoon, as in all common areas. Pets are never allowed in the lagoon.

Landscaping and Grounds

Owners and residents are prohibited from interfering with the established drainage pattern around their unit.

Owners and residents shall at all times keep plants on balconies, decks, and steps in an attractive, clean condition and maintained to prevent water drainage into or onto other units. Plants must be maintained so they will not fall onto the common areas.

No plant material, potted or otherwise, is permitted in the common area. Plant material placed in any common area will be removed by the Association at any time without notice.

Building materials and/or gardening materials must not be stored anywhere other than inside the unit or garage, NOT on the balcony, deck, or stairways.

Owners and residents are not permitted to remove, replace and/or add landscaping to the common areas without prior written permission of the Board of Directors.

Owners shall be required to reimburse the Association for damages to landscaping or common property caused by family residents, tenants, guests, contractors, invitees, relatives, family (both minor and adult), or pets. (See Section 20, p. 28, CC&Rs)

Excessive overwatering, runoff, and/or flooded plantings in the unit or balcony, deck, or patio will not be tolerated. Violators are subject to a hearing before the Board of Directors and a possible fine.

For additional restrictions, see *Article VIII, especially Section 12, 13, 16.*

Move In/Move Out Policy

Effective October 31, 2005, the Broadmoor Huntington Harbour Community Association will assess a \$100.00 fee when there is a change in a tenant in an Association property. This fee covers the costs to the Association when issuing new parking stickers, updating records for car ownership, access through the entry gates, wear-and-tear on the Association streets caused by moving trucks and vans, and provision of a Community Handbook to the tenants to ensure compliance with the Association's Rules & Regulations. This fee is consistent with other condominium complexes in the area. New tenants will be provided with a copy of the Community Handbook and regular communications. Absentee owners are ultimately responsible for their tenants and for ensuring their tenants are aware of community policy.

Parking, Streets & Traffic



SECTION I: GENERAL

1. The maximum speed limit on Grimaud Lane is 15 mph.
2. The maximum speed limit on all streets within the condominium complex is 10 mph.

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3. According to City of HB zoning laws, all 122 outside parking spaces are designated for guest parking. Under the CC&Rs, residents may not park in outside guest spaces without Board of Director approval, and the board can establish rules and regulations regarding such parking by residents and their guests.
4. In accordance with the CC&Rs, owners are responsible for any violation of the parking rules and regulations by their guests and tenants.
5. These provisions set forth procedures and guidelines established by the board for implementation of the parking rules. The board may revise these guidelines at any time. A copy of the parking rules can be found on the association's website: www.broadmoorhh.com.

SECTION II: CONDOMINIUM COMPLEX

1. No unattended vehicle of any type may park in any street at any time. All streets, whether or not marked with a red painted line, are fire lanes and must not be blocked. The red-brick borders are part of the fire lanes.
2. Resident's vehicles with INSIDE decals must be parked in the two assigned garage parking spaces. Vehicles with INSIDE decals may not park in any outside parking space at any time. Two vehicles must be parked inside a garage before any outside permits will be issued.
3. Resident's vehicles with OUTSIDE decals may park in any of the 122 outside guest parking spaces.
4. Resident's vehicles with inside or outside decals and their guests may park an authorized vehicle on the garage apron only if the apron is accessible without damage to adjoining landscape or sprinklers and no portion of the vehicle extends or overhangs beyond the apron's perimeter into the street, landscaping, sidewalk or entryway.
5. No vehicle shall remain parked in the same location in an outside parking space for a period exceeding 72 hours. Violators may be ticketed or towed. The board may grant a temporary exception upon prior written request (for example, extended out-of-town trip or during home construction which temporarily prevents parking in the garage).

"Extended Parking Pass" procedures:

- An "Extended Parking Request" must be submitted by residents and approved by the Parking Committee Chair with the requested beginning and ending dates.
 - The "Extended Parking Request" form can be obtained from the guard shack or from the association's website and must be submitted to the guard shack at least one week prior to the resident's departure or other requested date. The completed form will be forwarded to the Parking Committee Chair for processing.
 - Approved vehicles will be issued an extended parking pass. The extended parking pass is to be placed on the vehicle's dash where it can be readily seen.
 - A vehicle with an extended parking pass which will not be moved during the duration of the pass must park in one of the concrete parking stalls located at the end of Bordeaux Lane west of the Admiralty pedestrian gate.
 - The vehicle must be moved within 24 hours of the ending date of the extended pass.
6. No motor home, camper, boat, commercial or business truck or automobile, trailer, recreational vehicle of any kind, or similar equipment shall be kept, stored, parked, maintained, constructed or repaired within the common area at any time. Exceptions are allowed for contractors, vendors, service and other commercial vehicles between the hours of 8:00 a.m. and 10:00 p.m., during emergencies, and for temporary loading and unloading.
 7. No motorcycles shall be parked in any area (i.e. sidewalk, patio, etc.) not designated for the parking of motor vehicles. Resident's motorcycles must be parked inside garages unless issued an outside decal.
 8. In addition to the concrete guest parking pads, the greenbelts along Lazare and Tropez Lanes are authorized guest parking areas. Vehicles must parallel park on the grass and no portion of the vehicle may extend or overhang into the fire lane.

SECTION III: GRIMAUD LANE

1. Grimaud Lane is a private street. Parking along the west or wall side is prohibited at any time. Parking on the east or R-1 residence side is restricted to the R-1 residents, their guests and their service personnel.

SECTION IV: PARKING DECALS, PERMITS AND PROCEDURES

1. All resident's vehicles shall have a parking decal displayed in the lower left corner of the vehicle windshield. The decal will facilitate ease of identification of authorized resident vehicles by the entry gate monitors. Residents may obtain temporary passes while their application for a parking decal is in process.
2. Each resident's first two vehicles will be issued an INSIDE decal and must be parked in the unit's two assigned garage parking spaces or on its apron. Personal storage items, storage cabinets and racks, and appliances, are not an acceptable reason for not parking two vehicles in the unit's garage. An inside decal may also be issued for a

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resident's third or fourth vehicle that is parked on the unit's apron. Vehicles with inside decals may not park in any outside parking space at any time.

3. An OUTSIDE decal will be issued for a resident's third or more vehicle, provided a physical inspection by the parking committee verifies that two vehicles with inside decals are parked in that resident's assigned garage parking spaces or on its apron. Vehicles with outside decals may park in any of the 122 outside guest parking spaces.
4. A resident's oversized vehicle will be issued an outside decal after physical verification that, due to the original plan dimensions of the garage, such vehicle will not fit in the unit's garage or on the apron. Garages were originally built to accommodate two vehicles and it is presumed that two vehicles under 17.5 feet (210 inches) in length and 77 inches in height will fit inside a garage. Personal storage items, storage cabinets and racks, and non-factory vehicle add-ons (such as roof carrier racks, towing hitches, non-standard sized tires and axles, camper shells or extensions, etc.) will not exempt a vehicle from the requirement that it be parked in the garage or on the apron.
5. Two or more motorcycles will constitute only **one** vehicle for purposes of meeting the "two vehicles in each garage" requirement. Qualifying motorcycles: (i) must be operable, (ii) must be currently registered to the resident with the California DMV, (iii) must meet the California Vehicle Code definition of a "motorcycle" (i.e., motor size of at least 150cc's), and (iv) the resident must possess a valid California M-1 motorcycle license. The board may require that motorcycles be registered with the association and registration decals be displayed on that vehicle. Motor-bikes, mopeds, motor-driven cycles, scooters and electric bicycles do not qualify as a vehicle. Resident motorcycles must be parked inside garages at all times (unless issued an outside decal). No motorcycle shall be parked in any area not designated for the parking of motor vehicles (i.e. sidewalk, patio, etc.).
6. Each driveway apron is defined by the stamped concrete pad which extends from a unit's garage entrance to the edge of the red two-brick concrete border of the street. Any vehicle may park on a driveway apron if (I) the apron is accessible without damage to adjoining landscape or sprinklers and (ii) no portion of the vehicle extends into or over the fire lane or the sides of the apron.
7. The association may impose an annual fee of up to \$480 for each outside decal issued.
8. Resident's vehicles with inside permits may be issued temporary passes to park outside a maximum of four (4) days per month due to special circumstances.
9. To obtain a new parking decal the resident shall:
 - a. Obtain a Parking Pass Application from the guard house or from the association's website.
 - b. Complete the application and return it to the guard house. The security officer will advise the resident when the decal is available for pickup.
 - c. The security officer will affix the decal to the lower left inside of the windshield unless otherwise authorized by the Board of Directors.
10. All guest vehicles must stop and check in with the security officer at the entrance gate. After the security officer has received permission from the resident to allow the guest entry, the security officer will make the required log entry and issue the guest a parking permit. This permit must be displayed in plain view on the left hand side of the dashboard facing up. No guest will be admitted unless the security officer receives authorization from the intended host. If the resident is expecting a large number of guests, it is recommended that a guest list be provided to the security officer at the entrance gate. Guest passes expire at 12:00 noon following the date of issue.
11. The association subscribes to an online system (Dwelling Live) which lists each resident's vehicles and decal numbers. Residents may add permanent guests to their account and leave temporary passes in advance for their guests. This system facilitates issuance of passes for regular or scheduled guests without the security officers having to call you. Please go to www.dwellinglive.com to establish or update your account.

SECTION V: VIOLATIONS

A harmonious community is the purpose of these regulations and when violations occur the following procedures are followed:

1. Whenever a parking violation is observed, a ticket is issued to the vehicle, indicating the specific reason for the citation.
2. For a first citation for a unit, the management company sends the unit's owner a warning letter describing the parking violation.
3. Second and subsequent parking violations are subject to a fine of \$100.00 per violation and the unit's owner will be called to a private hearing before the Board of Directors to discuss the citation. Homeowners are responsible for tenant and guest violations.

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4. The board has the option of having vehicles in violation of these rules towed and the owner is responsible for the cost of the towing and storage.
5. The board may have guest vehicles in violation of these rules towed to a storage facility. The vehicle's owner is responsible for towing and storage fees.
6. The board will instruct the security guard to deny admittance to guest vehicles with a history of frequent violations.
7. In addition to the association's penalties, vehicles parked in or extending into fire lanes may be ticketed by the City of Huntington Beach.
8. Vehicles with alarms sounding will be towed at the owner's expense. It is suggested that whenever alarms are set that the owner(s) stay within hearing distance.
9. The board may at its discretion refuse or revoke parking permits of vehicles determined to be visually offensive to the overall appearance of the complex. Examples include vehicles with severe body damage left in a non-repaired state, vehicles with multiple colors of body panels, vehicles with numerous decals or stickers, etc.

NOTE: If you have questions regarding these Rules and Regulations or receive a ticket and are not clear as to the reason, you are encouraged to call the management company and request that a member of the Board of Directors contact you. Many times communication can avoid any misunderstandings and future problems. Upon request, you may also address the Board of Directors in private at its monthly executive session. Dates and times are posted at the community bulletin board and on the association's website.

SECTION VI: MISCELLANEOUS

1. Parking decals must be returned by residents when moving from the community or when replacing a vehicle that previously was issued a sticker. The unit's owner will be assessed a \$100 fee for each decal that is not returned.
2. Stolen decals should be reported to the Huntington Beach Police Department and a copy of the police report should be submitted along with a new parking pass application form. No replacement fee will be imposed for stolen decals.
3. Parking decals are only issued to residents of Broadmoor Huntington Harbour.
4. No motor driven vehicles are permitted on the sidewalks or grounds at any time except for powered wheel chairs.
5. Owners who lease or rent their units must notify the management company of the names of all tenants occupying their unit. Notification of any change must be made within 30 days by the owner submitting a Change of Occupancy Form along with the \$100 processing fee. A copy of that form is available at the guard house or on the association's website. Tenants and tenant's guests are subject to ALL association parking rules and restrictions. Owners are responsible for ensuring that tenants are informed of these requirements.
6. Automotive repairs are permitted ONLY WITHIN a unit's garage and never in a unit's driveway, a guest parking space, or on any street within the complex.

SECTION VI: DEFINITIONS

The following definitions are provided as general guidance only. The Board of Directors shall make any final determinations regarding interpretations of the rules and regulations.

Apron/Driveway: The stamped concrete pad which extends from a unit's garage entrance to the edge of the red brick border of the street. Many aprons are insufficient in size to park a vehicle.

Camper: A structure designed to be mounted either permanently or temporarily upon a motor vehicle and to provide facilities for human habitation or camping purposes.

Commercial Vehicle: A motor vehicle used in business pursuits. Any motor vehicle that has a utility body, flatbed, stake body, commercial tool box, equipment, or tools in bed, shall be deemed a commercial vehicle. Also, any motor vehicle with signs, letters, advertisements, equipment or ladder racks affixed to the vehicle shall be considered a commercial vehicle.

Fire Lane: The street areas comprised of the pebbled concrete surfaces AND the two red-brick stamped concrete borders on both sides. ALL streets within the condominium complex are designated as fire lanes.

Guest Parking Space: All outside parking spaces within the condominium complex specifically designed to park a motor vehicle.

Motor Home: A motor vehicle primarily designed or permanently altered and equipped for human habitation.

Passenger Vehicle: A motor vehicle designed for transportation of persons for personal and not commercial use.

Pickup: A commercial-type truck (i.e., stake-bed truck, tank truck, dump truck) designed for commercial business use. This does not include a pickup truck used primarily as a passenger vehicle for everyday transportation, unless such pickup truck has been modified to make it a commercial-type truck or is primarily used for commercial pur-

poses. Such modifications include, but are not limited to, affixing signs or logos or otherwise indicating that the pickup is used in a trade or business; attaching racks or similar appurtenances used to haul or transport construction materials or equipment; the storage of equipment, tools, and other materials in the truck's bed; etc. The existence of a closed built-in storage or toolbox in the bed of a pickup truck will not necessarily render a pickup truck a "commercial-type truck" for purposes of this section.

Recreational Vehicle: Any motor vehicle that can be classified as a camper, motor home, or similar recreational vehicle; or any van, truck, or other vehicle that has been modified for recreational use or human habitation.

Shell: A cover attached to the bed of a pickup truck that may have side windows and a rear tailgate door. It is normally no higher than the cab of the truck and no lower than the sides or rear of the pickup. The vehicle is not generally used for human habitation.

Trailer: A vehicle designed for carrying persons or property on its own structure and is drawn by a motor vehicle (i.e., boats, house trailer, utility, U-Haul, etc.)

Truck: See Commercial Vehicle or Pickup.

Van: Same as "Pickup" except the interior may be modified as is commonly called a "surfer package" and the exterior may be painted graphically with a scenic design as long as it does not offend or display poor taste or advertisements of any kind. The van shall not have ladder racks or the body may not be altered such as a raised roof or widened sides.

Warehousing: Leaving a vehicle in the same outdoor parking spot without moving it for seventy-two (72) hours or more is strictly prohibited.

Pests

Orange County health department officials warn that the heavy winter rains can result in dense vegetation which in turn produced a bumper crop of ants, rats, and mosquitoes throughout the county. A few deer mice with the deadly hantavirus were found by county health officials in the Newport Beach area. We know of no reports of infections in this area, but health officials warn that **all** rodents carry disease and should be avoided. And as if this weren't bad enough, there has been a skunk invasion by the Bolsa Chica wetlands!

You can help us prevent problems with pest infestations:

Do not leave any food outside for pets or the ducks in the lagoon, as this attracts rodents and other undesirables. The Board has instructed all contractors and employees to immediately remove any pet food left outside.

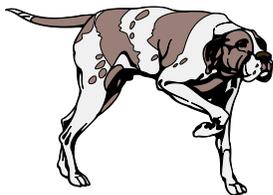
Keep garbage in your unit in tightly closed plastic trash bags. While waiting for trash day, store trash inside garbage cans with tightly fitting lids.

If you have fruit trees on your deck or patio, keep ripe fruit picked off the ground and off the trees.

Clear standing water on sidewalks, steps, decks, and balconies.

If you see a problem with pests, please report it immediately to the Management Company. We have a pest control company on contract to tackle problems.

Pets



Dogs must be **on a leash at all times** when outside of the resident's unit or enclosed patio or balcony. All pet owners are responsible for picking up their pet's excrement and disposing of it properly in their own trash containers. Any damage caused to the common areas (including all landscaping) by pets or their excrement is the responsibility of the pet owners.

Dogs are never permitted in the pool area, tennis courts, beach or on the Grimaud docks.

All pet owners are responsible for controlling excessive noise.

If you, or your pet, are attacked by another dog, you are urged to contact Animal Control immediately. This action is beyond the Board's scope of authority and must be handled appropriately by the public agency. The Board cannot act on your behalf for violations of Animal Control laws.

No animals, fowl, reptiles, insects, or poultry shall be kept within the Broadmoor, except that domestic reptiles, dogs, cats, birds and fish may be kept as household pets upon the property. Barnyard animals are not permitted. These include, but are not limited to, chickens, ducks, rabbits, etc. (*Article VIII, Section 10*)

No animal shall be kept, bred, or maintained for any commercial purposes.

Play Equipment and Games

Basketball hoops and backboards are not permitted at any time in the Broadmoor complex. Toys and play equipment must never be left in the common areas unattended. Please do not play games with balls in any area of the complex where a stray ball might endanger individual units at the Broadmoor, especially windows.

Pool and Spa

Please remember that every swimming area is inherently dangerous. Drowning can occur in a matter of minutes. Sadly, Orange County has one of the highest rates of child drowning in the nation and we must insist on various rules at our pool to prevent this tragedy at the Broadmoor. Please make sure *all* of your visitors, family members, and tenants understand these rules. You, as the owner, are responsible for their conduct.

Use of the pool and spa is limited to homeowners who are in residence, tenants in residence, and their guests only. Do not admit anyone who does not have a key. You become responsible for their actions and are subject to a fine.

No lifeguard on duty -- Use at your own risk. Prominent signs are posted at the pool area. Make sure your guests, family members, and tenants are aware of this very important matter.

The gate must be closed and locked at all times. It only takes a few moments for a toddler to wander into the pool area and drown. We must be very strict about this rule. If you see the gate left open even momentarily, please pull it shut and make sure it is locked tightly to protect all of us against tragedy.

No children under 14 years anywhere in the pool area without constant adult supervision. Parents, you must take responsibility for your children. Could we suggest that parents take turns supervising groups of their children and friends at the pool?

No one under 14 years in the hot tub at any time. The hot tub is not a kiddie pool or a play area. The high temperatures are very dangerous to young children.

Do not swim alone. Everyone knows how important this rule is. It only takes a few minutes under water from a heart attack, a seizure, or other difficulty to drown or sustain serious, permanent brain damage.

Do not tamper with or play with pool or rescue equipment. A few years ago, we were cited by the Health Department on a surprise inspection because children had removed the emergency rescue equipment. These are not toys. Please make sure your children understand this rule.

No diving. Insurance companies routinely require that diving be prohibited in community pools like ours. It is just too dangerous, both for the diver and for other people in the pool area. If you want to practice diving or teach your children to dive, you must use a pool elsewhere which is designed for that purpose.

No pushing, shoving, running, yelling anywhere in the pool area. The pool area is not a playground. Roughhousing creates constant danger that someone will fall or be pushed into the pool and drown. Noise is disruptive to the many units adjacent to the pool.

All guests must be accompanied by an adult resident. The pool area is not a substitute for a baby sitter. Parents, you must accompany your children and their friends to the pool and supervise them at all times.

No glass anywhere in the pool or spa area. No exceptions. Broken glass creates an extreme hazard of serious injury and infection to barefoot swimmers.

Do not climb the pool fence. Use your key. We have gotten many complaints about children climbing the pool fence. Parents, you must accompany your children to the pool and they must use your key to enter.

No play equipment, boogie boards, bicycles, water guns, skateboards, rollerblades, or pets. The pool area is not a playground. Please play elsewhere.

No chairs on the wooden decks. The wooden decks are not designed to hold the weight or design of the chairs. This rule helps us avoid serious maintenance problems. The decks are limited to sunbathers sitting on towels.

Swim suits only. No cut-offs, diapers, wetsuits, or street clothes in pool or spa. No nudity. Shower before entering pool. No soap/shampoo in pool or spa. We have gotten complaints about surfers in sandy wetsuits using the spa to "clean up." This creates a maintenance nightmare for us in clogging and overloading the filter systems. The shower adjacent to the pool restrooms is functioning. Please use it before you enter the pool or spa.

No loud radios or tape players. Not everyone shares your refined taste in music. Please bring your headphones and be courteous to other residents at the pool and in neighboring units.

HOURS: SUN-THURS: 7AM TO 10 PM FRI-SAT: 7 AM TO 11 PM

Report vandalism: (562) 592-4213: Vandalism is a criminal offense. If you see any act of vandalism, please leave a report at the guard house so we can pursue the offenders. Every citizen has the right to report a criminal act in progress to the police. If you or your guests or tenants vandalize any Association property, you are liable for all repair/replacement costs.

EMERGENCY RESCUE 911 -- The nearest telephone available 24-hours a day is at the guard house.

Rentals of Units

If you are a homeowner who decides to rent your home, there are forms available at the front gate that must be completed and submitted to the management company. Your tenant(s) will not be provided access to the community or vehicle decals until the proper documentation is submitted.

The following Rules apply:

You are required to report the names of the persons who are living in your home to the Board of Directors, via the Management Company within ten (10) days of the tenant occupancy.

You are required to acknowledge in writing that your tenant, lessee, or contract purchaser fully understands both the CC&Rs and R&Rs and has received a copy of each.

You are required to further acknowledge that you (as a member of record of the Owners Association) will be held responsible for the actions of your tenants, including any penalty assessments for violations of the Rules and Regulations of the Association, as well as any costs for repairing damage to the common area or other property

caused by your tenants. (Forms for the above may be obtained from the Management Company.)

Repairs and Maintenance

Many owners are confused about who is responsible for repairs and maintenance in and around their unit. Here are a few general guidelines to help owners understand who is responsible for what. These are partial lists only. Please refer to the CC&Rs for complete allocations of responsibility.

The Board has made a conscientious and good faith effort to insure that the information here is consistent with all applicable provisions of the CC&Rs. However, if there is an inconsistency between the CC&Rs and the information here, the CC&Rs shall prevail. The information here is provided strictly as an informational courtesy. The Association, the Board, and its employees and contractors are not qualified to offer you legal advice on these issues and you should not consider this to be legal guidance.

The Association is responsible for:

Exterior building surfaces, including window boxes
Roofs
Slab foundations
Common stairways (shared with other owners)
The common areas, including utilities and pipes (gas, water, waste pipes, sewers, ducts, chutes, conduits, wires)

The individual homeowner is responsible for:

Interior of the unit
Interior surfaces of all walls
Floors inside the unit
Ceilings inside the unit
Doors leading directly into the unit (including all exterior doors) and all doors inside the unit
The firebox of each fireplace
Glass doors (e.g., sliding doors opening onto decks and patios)
Windows in the unit
Patio (deck)
Balcony
Garage doors, including hinges, springs and all other parts of the door mechanism
Plumbing, electrical and heating systems serving the unit and located within or underneath the outside perimeter of the exterior bearing wall of the unit
Electrical outlets inside an individual unit
All appliances and equipment inside the unit, including the garage
Water pressure regulators

References: CC&Rs: Article I, Sections 7, 10, 28; Article VIII, Section 24; Article IX, Section 1(i); Supplementary CC&Rs (4/10/78 & 8/18/78): Section 8

IMPORTANT: Even if an individual homeowner or resident believes that a repair problem at their unit is a responsibility of the Association, no individual homeowner or resident is authorized to order those repairs privately and receive reimbursement from the Association. If you believe a repair problem is the responsibility of the Association, you must call the Association. The Association has contracts with many service companies which provide services much more economically than services that might be ordered individually by owners.

Preventative Maintenance: Here's what you can do to avoid problems with water leaks into your units.

Empty out all the rocks, gravel, and dirt from your window boxes. The weight pulls the boxes away from the wall and

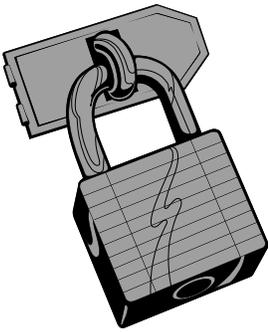
creates serious water problems. If any owner or resident puts these prohibited materials into the window boxes, the unit Owner is subject to fine of \$100 per occurrence and the Owner and resident will be considered to have waived any future claim against the Association for water and/or termite damage to the unit.

Make sure all drains in the boxes are clear and running freely – our maintenance staff cannot see the drains and does not know to check or repair them unless you report problems.

If it appears that the inside sealant or caulking in your window boxes is worn or cracked, please report this immediately, so we can correct it this summer.

Clean out the tracks on your windows and sliding glass doors. Make sure the drainage holes on the side of the track are clear, so outside water won't ooze into your unit. Recaulk, if necessary, using exterior caulk. (Windows and sliding glass doors are your individual responsibility.)

Make sure the drains on your decks, balconies, and patios are clear and running freely.



Most of all, please be realistic about water problems. It is impossible to make any structure 100% water-tight. Vents and chimneys are built to keep out ordinary rain, but rain blown horizontally in very high winds (as we sometimes have) unavoidably makes its way into these openings.

Rollerblades

In the summer of 1995, the Association conducted a detailed written survey of all owners concerning their preferences on rollerblading, skateboarding, and bicycling in the complex. The policies here were adopted to take into account those preferences, as well as considerations of insurance, liability to the Association for injury, and so forth.

Rollerblading is banned inside the Broadmoor complex, except that rollerbladers may skate from their unit to the nearest exit by the shortest route and at reasonable speeds. Rollerbladers are reminded that the pavement at the complex includes stones, bricks, and concrete, with many uneven surfaces. Skating is entirely at the risk of the skater. The Association urges that all rollerbladers carry their skates to the nearest exit to avoid these hazards within the complex.

So-called "aggressive" rollerblading (tricks, stunts, etc.) is absolutely banned at all times and under all circumstances. The Board urges that all rollerbladers comply with the recommendations of the Consumer Product Safety Commission and wear knee and elbow pads, wrist guards, and helmets to prevent injury.

Roller-blading, as well as bicycle-riding and skateboarding, are banned at **all** times and under **all** circumstances from the tennis courts, the pool-spa area, the lagoon and its perimeter, walkways, benches, steps, and the docks.

Sales of Homes

Concurrent with the consummation of the sale of any unit, the seller and new buyer (homeowner) shall notify the Management Company within five (5) business days providing:

1. The name and telephone number of the new owner.
2. The street address of the unit.
3. The mailing address of the new owner.
4. The date of sale.
5. A listing of all vehicles and license numbers.

Security

**BROADMOOR HUNTINGTON HARBOUR
COMMUNITY HANDBOOK**

Residents and guests are required to close and lock all pool and common area gates so as to prevent stranger access to our community. If you discover pedestrian gates to the street or the boat docks that have been taped or propped open, please close them to protect everyone's security. Security keys are not to be duplicated or given to any non-residents.

All residents using the exit gates into Peter's Landing and Grimaud are asked to pause outside until the gate has closed completely to ensure that unauthorized persons are not entering the complex.

Gate Monitors: Broadmoor is a controlled access community. Broadmoor is not a secured community. The gate monitors and the exit and pedestrian gates are designed to keep unwanted visitors out of the community, but these amenities are not designed to provide security, and they do not replace common sense precautions that every resident of a large metropolitan area should practice at all times.

The gate staff is responsible for controlling access to the community and follows the Post Orders established by their employers. The gate staff is not responsible for processing service requests, accepting personal deliveries, intervening in homeowner disputes of any kind etc. Abusive action from residents, either verbal or physical, may be addressed by the Board of Directors as deemed appropriate. Broadmoor residents are not permitted to operate the vehicle gates.

Vehicle Gates: In order to reduce wear and tear on the entrance and main exit gates, the gates may be left open during heavy traffic hours as approved by the Board of Directors.

Common area keys: Two keys were issued to each residence in 2007 which required the signature of the resident who obtained the keys. These keys are numbered, assigned to the property and should be turned over to new residents. Replacement and/or additional keys are \$100.00 each. This is a fee and not a deposit.

Tiger-Claws: The Board has considered the installation of tiger-claws at the Moritz and Peter's Landing exit gates to discourage unauthorized entry. Unfortunately, our study of this idea indicates that the cost of tearing out the concrete and installing the necessary mechanisms would be quite high. And these would do nothing to stop unauthorized pedestrians from entering. You can help by pausing outside those gates when you leave to make sure unauthorized persons do not enter before the gate has closed.

How you can help: If you notice that any of the locked gates at the complex are propped or taped open, please lock them securely. If you notice that a lock or gate is broken, please report it immediately to the management company -- these repairs are urgent priorities for the maintenance staff. Over the weekend, the maintenance committee will chain and padlock the broken gate until it can be repaired. If you see a crime in progress, you -- like every resident of the city -- should call the police.

Self-Management

Owners sometimes wonder whether the Association could save money by terminating professional management and assuming self-management of the complex. Managing a large complex with so many amenities is a major undertaking. Such a change also is not possible, in practice, under the CC&Rs governing the complex.

See Article XV -- Rights of Lenders, Section 5: In order to terminate professional management and assume self-management, 75% of the lenders providing mortgages for Broadmoor owners would have to approve this change in writing.

This requirement for professional management is typically included in the mortgage documents signed by Broadmoor owners. For example, in the "Condominium Rider" of the current Fannie Mae/Freddie Mac Uniform Instrument, the lender requires that it give written consent before the borrower agrees to the termination of professional management and assumption of self-management. Lenders virtually never approve this change, as it jeopardizes the value of their loan to the homeowner.

Skateboards

In the summer of 1995, the Association conducted a detailed written survey of all owners concerning their preferences on rollerblading, skating, and bicycling in the complex. The policies here were adopted to take into account those preferences, as well as considerations of insurance, liability to the Association for injury, and so forth.

Skateboarding is banned at **all** times and at **all** places inside the Broadmoor complex. Skateboarders must carry their boards to the nearest exit.

Skateboarding, as well as bicycle-riding and rollerblading, are banned at **all** times and under **all** circumstances from the tennis courts, the pool-spa area, the lagoon and its perimeter, walkways, benches, steps, and the docks.

The Association has had many complaints from residents about dangerous and inconsiderate skateboarding, rollerblading, and bicycling on the sidewalks and roadways at the Broadmoor. Please remember that many small children and elderly persons live at the complex. These practices endanger all of us.

Skateboarding, rollerblading, and bicycling is prohibited on all sidewalks, landscaped areas, lawns, beaches, and docks at the complex. For safety reasons, they are also prohibited around the entire perimeter of the lagoon, the entire pool area, and the tennis courts. This equipment should be carried or "walked" to the nearest roadway.

All residents are asked to be considerate of others and aware of the dangers. Parents should help your children find safe places to engage in their favorite activities and remind them to be considerate of others in the complex.

Signs

The CC&Rs of the Association prohibit the posting of signs on the property, except for signs within the window of a unit. These signs must not exceed an area of four square feet. (*Article VIII, Section 7*) Signs on stakes are prohibited, as are signs on balconies, railings, garage doors, or anywhere else on the unit.

Signs of the allowable size may be placed in windows of your unit. You may also post open house signs, if they are removed promptly upon completion of the open house. **All** other signs are prohibited.

Please remove all prohibited signs immediately and store them in your garage for your agent. If prohibited signs are not removed, we will ask a representative of the Association to remove them and store them until your agent retrieves them.

If you notice prohibited signs, please feel free to notify our Management Company representative or the maintenance staff so they can be removed immediately.

"Open House" flags and signs are permitted only as follows:

- T Staked signs and flags may be placed in front of unit only.
- T "Open House" signs may be placed at entries to the complex and to give directions to the location of the open unit, as necessary.
- T Any signs or flags placed must not constitute a safety hazard.
- T All "Open House" signs and flags must be removed daily.

Once an escrow is entered into, the "For Sale" sign shall be removed by the close of escrow. Any property in escrow must show a "pending," "in escrow," or "sold" sign. (*Article VIII, Section 11*)

Smoke Detectors

Fire prevention experts recommend that you check your smoke detectors at the same time you change your clocks back to standard time. Here are some things to check:

- T The original smoke detectors installed by the Broadmoor builders are wired into the AC electrical system. Consider adding additional smoke detectors which are battery-operated, in case there is a power failure. Battery-operated detectors approved by the California State Fire Marshal are available for as little as \$10.
- T Safety experts urge that a smoke detector be located outside each bedroom area in your home. If you have more than one level, consider adding an additional detector on the living room level, but not near the kitchen where you might get false alarms from cooking fumes.
- T Test detectors monthly and replace batteries at least once a year, whether or not they still work. If you always change your batteries when you change your clocks, you won't forget.
- T If you haven't already done so, plan escape routes from each room and have a family rehearsal of the plan. Make sure everybody knows what the smoke detector sounds like -- so they don't confuse it with an oven timer or errant car alarm.
- T Make special emergency plans for children, invalids, and elderly family members. If they will need assistance, assign a family member to help them.
- T Fire safety experts suggest that a chain or rope fire ladder be kept in upper floor bedrooms so you have additional escape routes in an emergency.
- T Equip your home with one (or more) fire extinguishers. Make sure everyone in your home knows where it is and how to use it. If you have house guests, tell them too.

Speed Limits

The speed limits for all vehicles inside the complex is 10 mph. This applies to cars, trucks, vans, bicycles, and motorcycles!

Please remember that many small children and elderly persons live at the complex. Speeding and other unsafe practices endanger all of us. Do not "tailgate" other drivers on Grimaud or inside the complex who are adhering to the speed limits. If a small child or pet dashes in front of a car, it might have to come to a quick stop.

Telephones

Association phones are to be used ONLY for Association business. If your visitors, contractors, or household help need a telephone, they should use yours or the pay telephones at adjacent shopping areas. All Association employees, contractors, and guards are under strict orders to comply with this policy. Please do not put them in the uncomfortable position of having to say "No" to you or your guests away when you ask to use the Association phones.

Tennis

Hours: 8 a.m. - dusk: Please limit play to one hour when others are waiting. Tennis balls only may be used on the courts.

Skateboards, rollerblades, bicycles, motorized toys, and pets are prohibited on the tennis courts at all times. Tennis courts are for the use of residents and their guests only. Non-resident owners may not use the tennis courts, unless they are the guest of a resident. Those guests must be accompanied by the resident when using the tennis courts. Please make sure the security gates are securely locked when you leave.

Termites

If termite extermination is needed at your unit, please call the Management Company to arrange for the treatment. Please do **not** order your own extermination service and expect to be reimbursed. The Association has exhaustively researched available services to obtain the best price for the best service.

IMPORTANT: Even if an individual homeowner believes that a termite problem is the responsibility of the Association, no individual homeowner is authorized to order those repairs privately and receive reimbursement from the Association. If you believe you have a termite problem that is the responsibility of the Association, you must call the Association. We have contracts with pest control companies which provide services much more economically than services that might be ordered individually by owners.

Individual owners are responsible for the cost of all inspections required when a property is sold, including inspection reports of common areas required in a contract for sale. If treatment is needed, call the Management Company to request that the Association conduct the treatment. If an inspection ordered and paid for by an individual homeowner determines that there are termite problems which are the responsibility of the Association, these should be reported immediately to the Association, which reserves the right to conduct a second inspection by its own inspector before it orders repairs to be paid by the Association.

Trash

Trash is normally collected on Friday mornings (Saturday morning during weeks with a major legal holiday). Trash should not be placed out for collection earlier than noon of the day preceding the pick-up day and all empty containers should be removed from public view by dusk of pick-up day. Residents who will be away before or after trash pick-up day should make arrangements with a neighbor to put out the trash at the proper time and remove trash containers after pick-up.

Contractor Trash: All contractors working for the Association are under strict orders to remove their own trash and clean their own work sites. If you hire a contractor to do work on your home, please ensure that your contractor cleans up all trash and removes the trash from the Association grounds. This is a normal expectation for contractors and you should insist on it. Please do *not* tell your individual contractors that they can use the Association dumpster, as this will increase the trash removal charges for all of us. If you are doing your own remodeling work on your home, you should clean up your own trash and store it in your garage for disposal on the regular trash day.

Toxic Waste: The City of Huntington Beach prohibits disposal of household hazardous waste in the regular trash pick-ups. As a resident of the City, you may leave your household hazardous waste (free of charge) at the Rainbow Disposal center at 17121 Nichols Street. Materials accepted at the center include oil, auto fluids, pesticides, herbicides, batteries, paint products, solvents, household cleaners, and polishes. The center is open occurs 9 a.m. - 1 p.m., Tuesday through Saturday. For more information, call (714) 834-6752.

Vandalism

The CC&Rs governing the complex provide that each unit owner is

. . . liable to the Association for any damage to the Common Area, Recreation Area, Street Area, Boat Dock Area or any Maintenance Area . . . which may be sustained by reason of the negligence or wilful misconduct of said Member or of his Family, relatives, guests or invitees, both minor and adult. (*Article VIII, Section 19*)

The Board cannot collect damages from the owner of the responsible unit unless witnesses provide reliable first-hand reports. The cost of roving guards and/or video monitors would be prohibitive for our Association. Instead, we rely on you to report vandalism which you observe first-hand! If the vandalism is not witnessed directly by a member of the Board of Directors, at least one witness must be able to supply reasonable proof of identity. The Board of Directors will then investigate the matter and take appropriate action. If the vandal is a non-resident and is on Broadmoor property

without permission (trespassing), the act of vandalism is considered a criminal offense and the vandal will be turned over to the appropriate law enforcement agency for full prosecution under the law.

Water Heaters

A new state law took effect January 1, 1996, requiring sellers of any residential property to certify to the buyer that the water heater has been anchored, braced or strapped so it will not fall or slide in an earthquake. Bracing your water heater is a great idea whether or not you are planning to sell your unit any time soon. Safety experts report that the single leading cause of fires in earthquakes are water heaters that topple, breaking gas lines.

The California Seismic Safety Commission has published a guide to show approved bracing methods, as well as a recommended disclosure form. Extensive information on quake-proofing your home is available from the Commission at: <http://www.seismic.ca.gov/>

Please remember that the repair and maintenance of all plumbing, electrical, and heating systems servicing your unit and located inside your unit are your individual responsibility. (*CC&Rs, Article VIII, Section 24*) Water pressure regulators are also the responsibility of individual homeowners.

Window boxes

Window boxes present serious and continuing maintenance problems for the Association. Window boxes must contain only plants in their own planters. Window boxes must never be filled with gravel or stones, as the weight pulls the box away from the wall and can cause problems with water leaks into the unit and/or adjoining units. Window boxes must never be filled with soil. In addition to the problem of the weight pulling the box away from the wall, the presence of soil directly against the wood is a breeding ground for termites.

Homeowners and residents are responsible for ensuring that the drains in the bottom of the box are clear and running freely. If you believe there is a problem with your window boxes that has not been addressed, please report the problem to the maintenance staff (via PowerStone) BEFORE the rainy season. It is your responsibility to make sure the drains in the bottom are clear at all times so water goes out the drains -- not into your unit.

If any owner or resident puts prohibited materials into the window boxes, the unit owner will be subject to fine of \$100.00 per occurrence **and** the owner and resident will be considered to have waived any future claim against the Association for water and/or termite damage to the unit.